

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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KAI LOCK, et al.,

Plaintiffs,

-against-

**SCEDULING ORDER**  
**CV-23-7904 (NJC)**

COSTCO WHOLESALE CORPORATION,

Defendant.

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All cases have been assigned to the Court's Electronic Case Filing Program. The parties shall file all future submissions electronically and will ONLY receive correspondence from the Court electronically. It is the responsibility of the parties to confirm that their contact information and e-mail addresses are correct at the time of filing the complaint or answer, as well as regularly monitor the status of their cases in order to avoid missing court appearances or deadlines set by the Court.

An initial conference will be held in this case at **2:30 p.m.** on **January 16, 2025** before United States Magistrate Judge Steven L. Tiscione by phone. Counsel for all parties must participate and are directed to connect to the conference by dialing 571-353-2301 with ID# 179933855.

**Plaintiffs' counsel is requested to confirm with defendant's counsel that all necessary participants are aware of this conference.** In the event an answer has not yet been filed at the time this Order is received, plaintiffs' counsel is to notify counsel for the defendant of this conference as soon as an answer is filed. Plaintiffs' counsel is to notify the undersigned, **in writing**, at least two days before the scheduled conference if an answer still has not been filed. **Requests for adjournments will not be considered unless made in accordance with Chambers Individual Practices.**

**PRIOR TO THE CONFERENCE, THE PARTIES ARE TO COMPLY WITH THE REQUIREMENTS OF RULE 26(f) OF THE FED.R.CIV.P.** The parties shall confer at least five business days before the initial conference to discuss the matters specified in Fed.R.Civ.P. 26(f) and 16(b); counsel shall also discuss (1) the scope of any anticipated electronic discovery, the preservation of electronically stored data, and the cost of locating, maintaining and producing that data, and (2) whether any party will rely upon expert testimony, and if so, whether counsel are able to reach

an agreement on how material exchanged between counsel and any expert witness will be treated, and in particular whether draft expert reports and written and electronic communications between expert witnesses and counsel will be retained.

The parties are directed to prepare a proposed discovery plan. To assist in this process, the Court has included in this Order a “Discovery Plan Worksheet” that must be completed and submitted to the Court via ECF, at least two days prior to the conference. The Worksheet sets forth a date for completion of all discovery. The parties are directed to establish reasonable interim discovery deadlines to meet the needs of their case. At the conference, the Court will consider the parties’ suggested deadlines and, upon consideration of the rules and practices of the assigned District Judge, enter an appropriate scheduling order. The parties should discuss their discovery needs thoroughly in advance of the conference so that the Court can order a realistic schedule. Once a scheduling order has been entered with the parties' input, discovery deadlines will be enforced and amendments to the schedule will be considered only for good cause.

Finally, the parties should also review the attached information sheet regarding the Court’s **Alternative Dispute Resolution Program.**

**SO ORDERED.**

**Dated: Central Islip, New York**  
**December 19, 2024**

s/  
**STEVEN L. TISCIONE**  
**UNITED STATES MAGISTRATE JUDGE**

## DISCOVERY PLAN WORKSHEET

### Phase I (Pre-Settlement Discovery)

**Deadline for completion of Rule 26(a) initial disclosures and HIPAA-compliant records authorizations:**

**Completion date for Phase I Discovery as agreed upon by the parties:**  
*(Reciprocal and agreed upon document production and other discovery necessary for a reasoned consideration of settlement. Presumptively 60 days after Initial Conference.)*

**Date for initial settlement conference:**

*(Parties should propose a date approximately 10-15 days after the completion of Phase I Discovery, subject to the Court's availability)*

### Phase II (Discovery and Motion Practice)

**Motion to join new parties or amend the pleadings:**

*(Presumptively 15 days post initial settlement conference)*

**First requests for production of documents and for interrogatories due by:**

*(Presumptively 15 days post joining/amending)*

**All fact discovery completed by:**

*(Presumptively 3.5 months post first requests for documents/interrogatories)*

**Exchange of expert reports completed by:**

*(Presumptively 30 days post fact discovery)*

**Expert depositions completed by:**

*(Presumptively 30 days post expert reports)*

**COMPLETION OF ALL DISCOVERY BY:**

*(Presumptively 9 months after Initial Conference)*

**OCTOBER 16, 2025**

**Final date to take first step in dispositive motion practice:**

*(Parties are directed to consult the District Judge's Individual Rules regarding such motion practice. Presumptively 30 days post completion of all discovery)*

**Do the parties wish to be referred to the EDNY's mediation program pursuant to Local Rule 83.8?**